Sectt. II-27—45,004—14-11-29.

Public (Police) (1930) Department.

(12)

1218 : SERIES.

G.O. No. 125

DATED 22-2-1930

[Despatch Abstract.]

Legislative Council Question - January 1930 - South Kanara district - Mangalore - Straying of cattle on public roads - Prosecution.

Council Office,

6--12--29.

Starred Question.

Mr. J.A. Saldanha

THE PUBLIC (POLICE) DEPARTMENT.

* 1750. With reference to the answer given to my question No. 874† on the 10th October 1929 will the hon. the Home Member be pleased to state:-

(a) whether during this year several owners of cattle were prosecuted by the Police for allowing cattle to stray on public roads in ~~Mgx~~ Mangalore;

(b) if so, under what enactments of law and for what reasons, and how many prosecutions were instituted; and

(c) whether the District Magistrate and the Dt. Superintendent of Police, or whoever was or were responsible for prosecutions above-mentioned, enquired and ascertained what facilities or disabilites the cattle-owners of Mangalore had for the grazing of their cattle?

† on page 1000 of the volume (part up)

P.S.

N/

Pub (Police) Deptt.

Memo No. 5254-1 dt 21/12/29

Leg. Council question - no. 1750 - Prosecution by the Police for allowing Cattle to stray on Public roads in Mangalore.

—

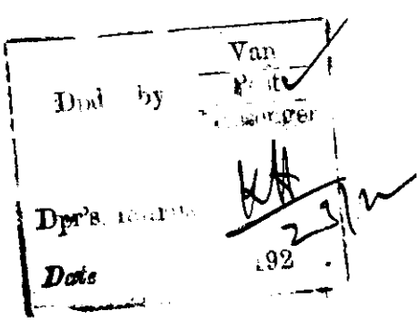
A copy of the above question proposed to be asked by Mr. J. A. Saldanha at the next meeting of the Legislative Council is sent to the D.G. of Police. He is asked to supply materials to enable the Govt. to answer it

ARN
17/12/29

To

The D.G. of Police

R. D. 8/1/30.



Starred question 3 / Public(Police) Department

28/21/1

Legislative Council

Question

Draft answer

Mr. J. A. Saldanha

*1750. With reference to the answer given to my question no. 874 on the 10th October 1929 will the hon. the Home Member be pleased to state.-

on p 1000 of the O.C proceedings for 1929

(a) whether during this year several owners of cattle were prosecuted by the Police for allowing cattle to stray on public roads in Mangalore;

(b) if so, under what enactments of law and for what reasons, and how many prosecutions were instituted; and

(c) whether the District Magistrate and the Dt. Supdt. of Police, or whoever was or were responsible for prosecutions above mentioned, enquired and ascertained what facilities or disabilities the cattle-owners of Managalore had for the grazing of their cattle?

(a) (b) & (c) The Govt. have no information but have called for it.

ARN 17/1/30

17/1/30

A. 525 21.1.30.

Dispatched by Van / Post / Messenger

Dispr. initials FRM

Date 22.1.30

4

Legislative Council Question (Starred).

Mr. J. A. Saldanha.

***

No. 1750. With reference to the answer given to my question No. 874 on the 10th October 1929 will the Hon'ble the Home Member be pleased to state:-

(a) whether during this year several owners of cattle were prosecuted by the Police for allowing cattle to stray on public roads in Mangalore;

(b) if so, under what enactments of law and for what reasons, and how many prosecutions were instituted; and

(c) whether the District Magistrate and the District Superintendent of Police, or whoever was or were responsible for prosecutions above mentioned, enquired and ascertained what facilities or disabilities the cattle-owners of Mangalore had for the grazing of their cattle.

PUBLIC (POLICE) DEPARTMENT.

A N S W E R.

(a), (b) and (c). The Government have no information but have called for it.

(By Order)

Dated, Fort St.George, the 21st January, 1930.

Under Secretary to Government.

To the Legislative Council Office.

The above answer has been approved by

The Hon'ble Khan Bahadur Sir Mahomed Usman Sahib Bahadur, Kt.

****

K.

Police 5/ DEPARTMENT. C.F. 30.

Received ..... 192 . *Registered* ..... 192 .

11 Ms: 31/253

Subject.

Legislative Council Question No.1750- Prosecution by the Police for allowing cattle to stray on public roads in Mangalore-

ENCLOSURES.
No .....
.....
Spare copies .....

for No. 2 State

Station ..... Madras ..... *Dated the* 22 January xxx 1930

From (Name) F.A. Hamilton, Esquire, C.I.E.,

(Designation) Inspector-General of Police, Madras.

To The Chief Secretary to the Government of Madras,

Public (Police) Department.

Sir, p. 2 supra

Refce:-Public (Police)Department, Memorandum No.5254-1, dated 21st December 1929.

I have the honour to answer the questions seriatim:

(a) Yes.

(b) The owners and persons in charge of the cattle were prosecuted under Section 3(4) of the Towns Nuisances Act, (Act III of 1889) for allowing cattle to stray on public roads in Mangalore and thereby causing obstruction to traffic and danger to the public. The number of cases charged in all was 315.

(c) It is not the duty of the Police to ascertain whether or not there are facilities for grazing. Their duty is to prevent obstruction to traffic and inconvenience to

pedestrians etc.

2. I may add for the information of Government that there are some grazing grounds in Pentlandpet, Urwa and Jeppoo- suburbs of Mangalore. Before launching prosecutions, the Police warned cattle owners by tom-tom, and in the first instance impounded the cattle which were allowed to stray uncared for, including those of the honourable member who has asked these questions. The Police resorted to prosecutions only when warnings and impounding proved futile. Of the 315 cases charged, 305 ended in conviction, 3 cases were discharged and 7 cases were withdrawn.

I have the honour to be,

Sir,

Your most obedient servant,

Beckett 22/1/30.

for Inspr.-Genl.of Police.

Tss.21-1-30

I

27-1-30

Prosecutions for allowing stray cattle on public roads in Mangalore.

1304 Q.—Mr. J. A. SALDANHA : With reference to the answer given to my qu[illegible] No. 874 on the 10th October 1929, will the hon. the Home Mem[illegible] pleased to state—

(*a*) whether during this year several owner[illegible]ttle [illegible] prosecuted by the Police for allowing cattle to stray on public r[illegible]s in Mangalore ;

(*b*) if so, under what enactments of law and [illegible] what r[illegible] and how many prosecutions were instituted ; and

(*c*) whether the District Magistrate and the District Superintendent of Police, or whoever was or were responsible for prosecutions above mentioned, enquired and ascertained what facilities or disabilities the cattle-owners of Mangalore had for the grazing of their cattle ?

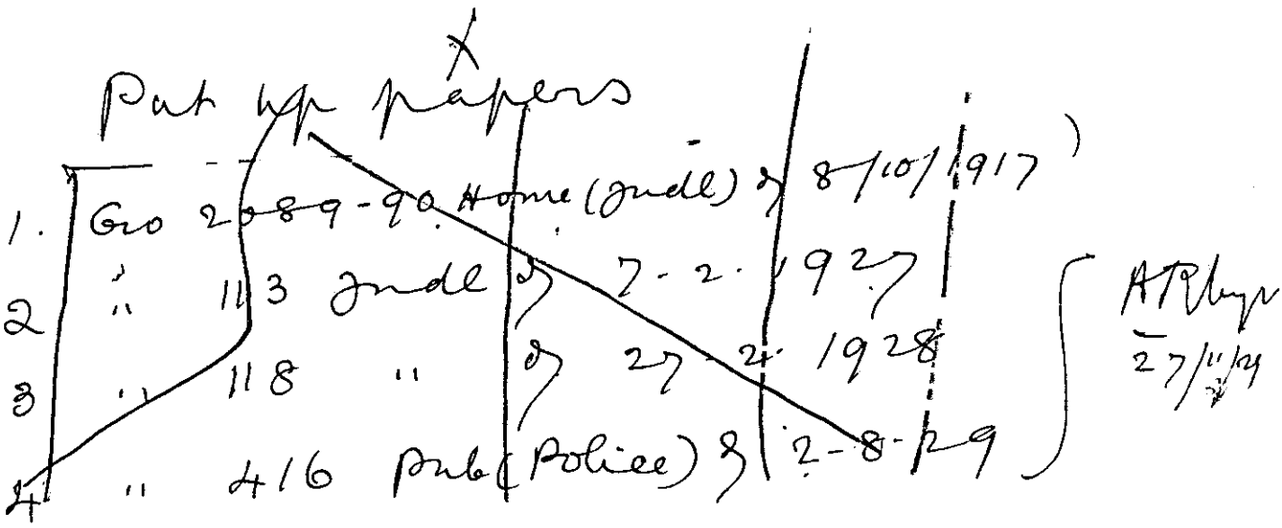
A.—(*a*), (*b*) & (*c*) The Government have no information but have called for it.

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether this prosecution by the police for allowing cattle to stray on the roads is restricted only to Mangalore Municipality or it is a general rule [illegible]rved in all municipalities ? "

The hon. Khan Bahadur Sir MUHAMMAD U[illegible] SAHIB Bahadur :—" I suppose it is observed in all municipalities."

Mr. R. NAGAN GOWDA :—" It is [illegible]d in answer to thi[illegible]estion that [illegible] no[illegible] know then under what [illegible] [illegible]nd[illegible]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Baha[illegible] :—" I have just received the information called for. It will be co[illegible] cated to the hon. Member in the usual [illegible]


Put up papers
1. Gro 2089-90 Home (Judl) 8/10/1917
2 " 113 Judl 7-2-1927
3 " 118 " 27-2-1928
4 " 416 Pub (Police) 2-8-29
A/Rly
27/11/29

Law Dept. III-8—3,000—30-7-29.

- N. QUESTION.—No. 1750 for the next meeting of the Legislative Council ~~to be held on the~~ ~~19~~

SUBMITTED that two copies of this Question may be forwarded to the Public (Police) Department.

The Question has been admitted.

U.O. No. 4045/29-2.L.C., dated 13.12.29.

ASSISTANT SECRETARY TO G.G. 14 DEC 1929 CHIEF SECT.

To

The Public (Police) Department.

Pub (Police) Deptt

US

Please see the Legislative Council Question in the C.F.

2. Draft memo to the D.G. is ended.

ARN 17/12/29

US CS

CS 21/12

(memo no. 5254-1 dt 21.12.29)

C 20/1
or 21/1

A 545 u-2

9 X

The G.G's reply to the mems on page 2 CF has not yet been received. A draft interim ~~reply~~ answer is subd for approval

ARN
17/1/30

17/1/30

1/30

(It is proposed to give interim answer that there is likely to be some delay in answering the question)

CHIEF SECRETARY
21 JAN 1930
GOVT OF MADRAS

Letter from the G.G. F.O.C. No 2/Statl dy 14/1/30

The G.G's reply has since been received. Revised draft answer is submitted.

ARN
24/1/30

25/1/30

CS

25/1/30

The ~~draft~~ answer ~~will be~~ has been sent ~~perhaps~~ agenda

C/

The interim answer was given today in the Council. The usual course may be followed in giving the revised answer

27/1/30

CHIEF SECRETARY
27 JAN 1930
GOVT. OF MADRAS

27 JAN 1930

£10 L 125/22 2 30 C 20/2 R 21/2

Please see the proceedings of the Legislative Council extracted at page 7 CF.

Draft letter to the M·L·C· is submitted· A copy of it may be sent to ~~Mr. Gowda~~ Mr· Nagan. Gowda also with ref· to A on page 7 CF.

?? What is the "usual course"?

C 17/2/30

ARN.
14·2·30

17/2/30

Submitted that the usual course in such cases is to communicate the information to the M·L·C who put the question by an official letter or place it on the council table or furnish it in answer to a question. The latest decision is that in such cases the information should be communicated to the M·L·C concerned vide H·S's remarks at pp 16-17 of Gio No· 1187 Pub (Genl) dt 14·11·1929.

See para 2 on page 14 of Gio 1187 14-11-29 R M·14

R
M·16-17

The instructions in H·O· note no· 3646 A-4 Law (Genl) dt 20·11·1929 are not applicable to this case as the question has already been answered in the Legislative Council.

Draft for approval

C 20/2/30
CS

ARN
19/2/30

C 20/2

C 21/2/30

C 20/1
D 21/1

A 5851-2 24

9 X

The G.G's reply to the memo on page 2 CF has not yet been received. A draft interim ~~reply~~ answer is subd for approval

ARN
17/1/30
17/1/30

17/1/30

CHIEF SECRETARY
21 JAN 1930
GOVT OF MADRAS

It is ~~proposed~~ to give interim answer. There is likely to be some delay in answering the question)

C ~~W~~ 17/1/30

W 17/1/30

Letter from the G.G. F.O.C. No. 2/stall dt 12/1/30 ~~6 CF~~

The G.G's reply has since been received. Revised draft answer is submitted.

ARN
24/1/30
25/1/30

25/1/30 CS

25/1/30

~~The~~ a ~~possible~~ [illegible] ...

C/

The interim answer was given today in the Council. The usual course may be followed in giving the revised answer

27/1/30

CHIEF SECRETARY
27 JAN 1930
GOVT. OF MADRAS

27 JAN 1930

11

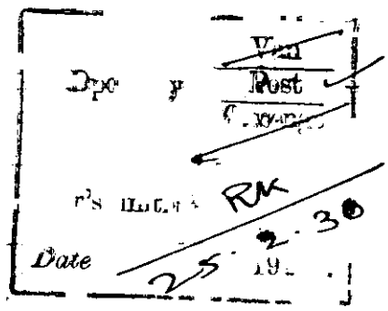
13/vb

Pub (Police) Deptt

Letter MS

To 125/22.2.30

J. A. Saldanha Esq M.L.C



Sir,

L.C.Q - January 1930 -
S. Kanna dt - Mangalore -
~~Prosecution for allowing~~
Straying of cattle on public
roads ~~in Mangalore~~ - Prosecution -

~~[illegible]~~
With reference to the answer given to question no 1304 (Starred) at the meeting of the Legislative Council on 27th January 1930, I am directed to supply you with the following information:-

clause (a) of the question - yes

" (b) " - The owners and persons in charge of the cattle were prosecuted under section 3 (4) of the Towns Nuisances Act, (Act III of 1889) for allowing cattle to stray on public

Stk

page 7 CF.

p-5 CF

12

roads in Mangalore and thereby causing obstruction to traffic and danger to the public. The total number of cases charged was 315

Clause c :- The police were responsible for the prosecutions. It is not their duty to ascertain whether or not there are facilities for grazing. Their duty is to prevent obstruction to traffic and inconvenience to pedestrians etc.

P/P 5-6 CF.

ARN.
14/2/30

17/2/30

20.2.30

Copy to

M. R. Ry. R. Nagan Gowda, Avl. M.L.C
with reference to his supplementary question. (with CL)

Dpd. by ~~Van~~ ~~Post~~ ~~Messenger~~

Dpr's. initials. RM

Date 20.2.30 192 .